

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Koji Hayashi et al.
Serial No. : 09/748,400
Filed : December 26, 2000
Title : DATA RECORDER

Art Unit : 2627
Examiner : Kim Kwok Chu
Conf. No. : 4569

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT IN REPLY TO ACTION OF APRIL 20, 2006

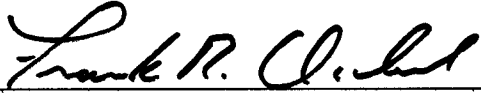
In reply to the Office Action of April 20, 2006, Applicant submits the following remarks.

Claims 3-9 were provisionally rejected under the judicially created doctrine of double patenting over the claims of U.S. Application No. 09/748,509. Applicants note that claim 10 is pending yet was omitted from the office action. Accordingly, applicants request that claim 10 be considered. Attached is a Terminal Disclaimer which applicants believe will overcome the rejection.

Please apply any other charges or credits to deposit account 06 1050.

Respectfully submitted,

Date: July 11, 2006



Frank R. Occhiuti
Reg. No. 35,306

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906